

# NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

## *Minutes of Meeting*

March 9, 2007

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### Attendance:

**Mike Santa, Acting Chair**, CBO, Governor's Commission on Disability, Architectural barrier/free design  
Thomas Malley, Bureau of Electrical Safety and Licensing, licensed master electrician  
Wayne A. Richardson, NH Building Officials Association, municipal building official  
John Tuttle, NH Home Builders Association, Architectural designer - residential  
Tedd Evans, Board for Licensing and Regulation of Plumbers, licensed master plumber  
Mark Weissflog, NH Electrical Contractors Business Assoc., licensed master electrician  
Thomas Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire  
Fred Baybutt, Associated General Contractors, building contractor - non-residential bldgs.  
Laura A. Black, PE - Board of Engineers, licensed electrical engineer  
Joel Fisher, Board of Engineers, licensed structural engineer  
Jon Osgood, NH Vocational Technical School, Laconia, NH  
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business

### Excused:

Med Kopczynski, NH Municipal Association  
Jerry Tepe, Board of Architects, licensed architect  
James Petersen, PE, Board of Engineers, licensed mechanical engineer  
Senator Robert Clegg, Chairman, designee for Dept of Safety

### Absent:

Mark Tibbetts, NH Association of Fire Chiefs, municipal volunteer fire chief

Acting Chair Mike Santa declared the meeting open with a quorum of Board member present.

Jon Osgood introduced himself as the new Board member replacing Wes Golomb. Board members went around and introduced themselves and what they represent.

## **GENERAL MEETING**

### Adoption of meeting minutes from February 9, 2007:

Tedd Evans **Motioned** to adopt the meeting minutes from February 9, 2007. Wayne Richardson **Seconded the Motion**. Vote was taken. Vote was unanimous in favor and so declared by the Chair.

## **OLD BUSINESS**

### Exhibits 24, 25, 26, 27 and 28 - public hearing results:

Acting Chair Santa seeing no correspondence, nor anything from the general public as a result of last months PUBLIC HEARING., asked what the pleasure of the Board was. Tedd Evans made a **Motion**, that this Board, based on the Public Hearing, make the recommendation to the Legislature to adopt the 2006 Codes as stated in our Exhibits 24 through 28. Wayne Richardson **Seconded** the **Motion**. Discussion: John Tuttle thought that the Board was not proposing the EXHIBITS, because they contained AMENDMENTS, and the vote should be for just the 2006 Codes. And at the first meeting of this Board, we would ADOPT all of the previous AMENDMENTS that would apply. Rick Swain agreed as did Mike Santa. Rick Swain stated that the Exhibits (24 - 28) have been revised to contain the AMENDMENTS we currently have adopted for the current 2000 Code, and are already in place with the legislature. Wayne Richardson said there will be a 'lag' between when it gets approved, and adopted, and signed . . . and its effective - the Board would have 2 or 3 meetings to pull together all the amendments needed before they actually went into effect. Rick Swain said that these amendments have already been ratified by the Legislature on the 2000 Code. There being no further discussion - the Chair asked for a vote. Vote was taken. **Unanimous** in favor of recommending to the Legislature to adopt the 2006 Codes as stated in Exhibits 24, 25, 26, 27 and 28.

Potable water for private wells:

Tedd Evans reported there was nothing new to report. Last month he reported that the Committee decided to punt - encourage DES to get statutory authority to establish Rules for private water wells. The only other suggestion he would have was to entertain a Plumbing Code Amendment - that would define "Potable Water" as that which meets the recommendations for private water system contamination levels for private wells from DES. Something the Board can consider, if they choose to do so. It's a controversial subject either way.

Follow-up discussion of the Modular Home Industry - tour of facility:

No discussion. Chairman Clegg will address this at the next Board meeting.

Letter from Steven Rancourt - Electrical Contractors Business Association:

Tom Malley stated that this was the first he has heard of this. At the request of Tom Malley, a copy of this letter will be forwarded to the Electrician's Board.

Penalty provisions of RSA 155-A:

Tedd Evan stated that this is under this legislation with Senate Bill number 62 and states all violation codes under this section shall be a misdemeanor. Chairman Clegg spoke at the hearing, as did he and the Fire Marshal. The intent is to make consistency with other Code violations. Rick Swain said his Association is opposed to this bill. Said that it is a civil issue not a criminal issue. It can be a matter of interpretation. One violation and its criminal - not chance to make it right? Wayne Richardson said that Chairman Clegg, when he spoke about this earlier, also had some genuine concerns that it only speaks about the Code violation - nothing in it where it has time to correct violations or anything else. Wording needs to be in there for the Fire Marshal's office to have authority as well. It should be that the violation itself should not be the penalty - it should be the failure to correct the violation after given notification. Joel Fisher said the structural engineers also have concerns about this. Tedd Evans said this is what makes it consistent. People who violate the Codes can not get away scott free. We need some penalty. Acting Chair Santa we need to get the Chairman involved in this discussion.

Energy Code Compliance discussion:

Wayne Richardson said this agenda item was more of a possible outreach program to get the word out about the Codes. The changes that are coming about as a result of the 2006 Code - some real significant changes. Its tightening up this Code. Is there anyway this Board can help get the word out to those independent individuals - that they need to be aware that there are these requirements now. Jon Osgood said that he thinks they are going to be doing considerable amount of training on this, as they have in the past. Winter is the best time to conduct this training. Wayne said he has some preliminary contacts with NH Lumber Retailers Association to see if it is possible to have Code books available at the stores so people can buy them. You can't fault an individual if he is unaware. Acting Chair Santa said that Building Safety Week would be good to get that information out there. Rick Swain said it's a good idea - his organization does that - they have continuing education and they have the new Code books available for purchase.

**NEW BUSINESS**

Exhibit 24 - 28:

No action was taken. The Board will hold off.

FAQ errors/Section on website:

This section has not been finalized yet. Will put on hold until next months meeting.

Appendix G - 2006 International Resident Code - Pools, spas and hot tubs - adoption:

Acting Chair Santa - put this agenda item on hold.

Appendix G - 2006 International Building Code - flood plain - adoption:

Acting Chair Santa - put this agenda item on hold.

Building Safety Week:

Acting Chair asked Tedd Evans to request the Governor sign a proclamation for Building Safety Week. May 5<sup>th</sup> thru the 12<sup>th</sup>.

**OTHER BUSINESS**

Summer hiatus:

Acting Chair tabled this agenda items until next months meeting.

Legislation:

A few legislative bills were brought up for discussion. Evvy will email updates.

**ADJOURNMENT**

**Motion** was taken and duly **Seconded** to adjourn this meeting of the Board. Vote was **Unanimous** and so declared by the Chair.

**NEXT MEETINGS: April 13<sup>th</sup> - May 11<sup>th</sup> - June 8<sup>th</sup> and July 13<sup>th</sup>**